	FILED					
1 2 3 4 5 6 7	R. Christopher Harshman (248214) rch@packetlaw.com 9701 Wilshire Boulevard, Suite 1000 Beverly Hills, California 90212 Telephone: (310) 651-3077 Facsimile: (310) 773-9027 Attorneys for Plaintiff Dream World Partners, Inc.					
8	UNITED STATES DISTRICT COURT					
9	CENTRAL DISTRICT OF CALIFORNIA					
11 12 13	Dream World Partners, Inc., Plaintiff, Plain					
14 15 16	Terry Stevens and DOES 1-10, Defendants. 1. Copyright Infringement (17 U.S.C. § 101 et seq); and 2. Unfair Competition (Cal. Civ. Code § 17200)					
17	Dream World Partners, Inc. ("DWP") avers as follows:					
18	Introduction					
19	1. DWP manages the operations of a number of highly successful online					
20 21	matchmaking sites, including the longstanding website Dream-Marriage.com (the					
22	"Website"). A competing website, onlinerussianbrides.com (the "Infringing Site"), is registered to Defendant Terry Stevens ("Stevens"); Stevens seeks to unjustly					
23	enrich himself through the unauthorized reproduction, on his own competing					
24	website, of photos, testimonial text, and other copyright-protected content made					
25	available by DWP through its Website.					
26	JURISDICTION AND VENUE					
27	2. This is a civil action seeking damages and injunctive relief under the					
28	1					
BH8271.1 1002-30718	COMPLAINT					

Copyright Act, 17 U.S.C. § 101 et seq., and under the laws of the State of California.

- 3. This Court has subject matter jurisdiction over DWP's copyright infringement claims pursuant to 18 U.S.C. §§ 1331 (original jurisdiction for federal questions) and 1338(a) (exclusive jurisdiction over copyright actions).
- 4. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over DWP's state law claim for unfair competition, as the state law claim is so related to DWP's claims under the Copyright Act as to be part of the same case or controversy.
- 5. This Court has personal jurisdiction over Stevens because, upon information and belief, Stevens has, through his highly interactive Infringing Website, engaged in the infringing conduct at issue within the United States and the State of California and, among other things, has purposefully directed his activities at the United States and at California.
- 6. Upon information and belief, DWP additionally avers that, among other things, Stevens is doing or has been doing business continuously in the State of California and this District, including e.g. selling subscriptions to residents of this District.
- 7. Upon information and belief, DWP additionally avers that a substantial part of the wrongful acts committed by Stevens have occurred in interstate commerce, in the State of California, and in the Central District of California.
- 8. Finally, upon information and belief, DWP additionally avers that Stevens knows that the damages and other harmful effects of his infringing activities occur substantially in California, where DWP has its principal place of business.
- 9. Venue is proper in this District pursuant to 28 U.S.C. § 1391 because this is a judicial District in which a substantial part of the events giving rise to the

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1002-30718

claims occurred, and/or which DWP's injury was suffered.

THE PARTIES

- 10. DWP is a corporation duly organized and existing under the laws of the State of Nevada, with its principal place of business in Beverly Hills, California.
- DWP is, and at all relevant times has been, the operator of the Website, and authorized to enforce the copyright and other rights associated with the material appearing therein.
- Upon information and belief, DWP avers that Defendant Terry 12. Stevens is an individual, residing in Mesa, Arizona. DWP is informed and believes that Stevens owns and/or operates the Infringing Site.
- The true nam.es and capacities, whether individual, corporate, 13. associate, or otherwise, of defendants sued herein as Does 1 through I 0, inclusive, are unknown to DWP, which sue said defendants by such fictitious names (the "Doe Defendants"). The Doe Defendants may include individuals whose real identities are not yet known to DWP, but who are acting in concert with the named defendant, often in the guise of Internet aliases, in committing the unlawful acts alleged herein. If necessary, DWP will seek leave to amend this complaint to state their true names and capacities. DWP is informed and believes, and on that basis avers, that the Doe Defendants are liable to DWP as a result of their participation in all or some of the acts hereinafter set forth (all of the Defendants, including the Doe Defendants, collectively are referred to as "Defendants").

FACTS COMMON TO ALL CAUSES OF ACTION

14. As set forth in greater detail below, Stevens has infringed upon copyrighted works of which DWP is the author, and/or to which DWP has been granted inter alia the right to enforce DWP's exclusive right of public display (DWP's "Copyrighted Content"); these include at least: Testimonials About Dating Russian Women, Copyright Registration No. TX0007567484; and Dream Marriage Anti-Scam Protection Policy and Frequently Asked Questions, Copyright

Registration No. TX0007567483.

15. On April 17, 2012, DWP sent Stevens a written demand that Stevens cease and desist his infringement of DWP's Copyrighted Content, and specifically identified the following Infringing Material DWP demanded Stevens immediately remove from the Infringing Site:

DWP's Copyrighted Material	Stevens' Infringing Material		
Frequently Asked Questions:	Frequently Asked Questions:		
http://dream-marriage.com/	http://www.onlinerussianbrides.com/		
faq.html	pages/russian-brides-faqs		
Anti-Scam Policy,	Anti-Scam Policy,		
http://www.dream-	http://www.onlinerussianbrides.com/		
marriage.com/anti_scam.php	pages/anti-scam-protection		
Aleksandra and Stephane Testimonial, http://www.dream-marriage.com/ russian-women-testimonials.html ?start=11&ini=0	Aleksandra and Stephane Testimonial, http://www.onlinerussianbrides.com/successStories		



"After a year of very loving communication through the Dream Marriage site I finally met my dearest Aleksandra. We had a few very sweet meetings. She brought a nice friend along who spoke good English. This worked out perfectly. Actually I was very surprised to discover that Aleksandra's English was quite good! continued on following page



"After a year of very loving communication through Online Russian Brides site I finally met my dearest Aleksandra. We had a few very sweet meetings. She brought a nice friend along who spoke good English. This worked out perfectly. Actually I was very surprised to discover that Aleksandra's English was quite good! continued on following page

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DWP's Copyrighted Material

She told me that she received a lot of help from the agency and they clearly did a very good job. I am very grateful for that because I believe that good communication is very important in a relationship. I hope we will be able to meet each other very soon again and continue this wonderful adventure together."

Stevens' Infringing Material

She told me that she received a lot of help from the agency and they clearly did a very good job. I am very grateful for that because I believe that good communication is very important in a relationship. I hope we will be able to meet each other very soon again and continue this wonderful adventure together."

Margarita and Erik Testimonial

http://www.dream-marriage.com/russian-women-testimonials.html?start=7&ini=0



Margarita and Erik

http://www.onlinerussianbrides.com/successStories



"Erik and I met after nearly half a year of our correspondence. His letters were wonderful and I felt every word he wrote. So I was looking forward to this meeting because I liked everything about this man through his letters.

I was very exited and a little nervous, because it was my first meeting ever. But when we met, all my stress was gone. He appeared to be even more interesting, good-looking and positive than I imagined him! We had a very good time together. We communicated a lot, we even took a little trip from our city to o another for some excursions. I even introduced him to my best friends

"Erik and I met after nearly half a year of our correspondence. His letters were wonderful and I felt every word he wrote. So I was looking forward to this meeting because I liked everything about this man through his letters.

I was very exited and a little nervous, because it was my first meeting ever. But when we met, all my stress was gone. He appeared to be even more interesting, good-looking and positive than I imagined him! We had a very good time together. We communicated a lot, we even took a little trip from our city to o another for some excursions. I even introduced him to my best friends

continued on following page

continued on following page

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DWP's Copyrighted Material

Stevens' Infringing Material and my son. And he was getting

and my son. And he was getting along with my son so well! I am very happy to meet such a good man as Erik!"

and my son. And he was getting along with my son so well! I am very happy to meet such a good man as Erik!"

Tatiana and Colin

Tatiana and Colin

http://www.dream-marriage.com/russian-women-testimonials.html?start=10&ini=0

http://www.onlinerussianbrides.com/successStories





continued on following page

continued on following page

"My first trip to Ukraine and Sumy was wonderful, beautiful snow and scenery, fantastic support and assistance from the local Agency Manager, and a simply amazing woman in Tatiana. The bonus was her terrific son Max. Of course we fell in love, the things that Dreams are made of and I arranged with Sergey to return to Sumy within a couple of months."

"My first trip to Ukraine and Sumy was wonderful, beautiful snow and scenery, fantastic support and assistance from the local Agency Manager, and a simply amazing woman in Tatiana. The bonus was her terrific son Max. Of course we fell in love, the things that Dreams are made of and I arranged with Sergey to return to Sumy within a couple of months."

16. This Cease and Desist Letter was sent via Certified United States Mail, receipt number 70101870000187550200; the United States Postal Service reports delivery occurred at 2:06 p.m. on April 19, 2012.

COUNT I - COPYRIGHT INFRINGEMENT

- 17. DWP realleges each and every allegation set forth in Paragraphs 1 through 16, inclusive, and incorporates them by reference herein.
 - 18. DWP owns valid copyrights in the Copyrighted Content.

- 19. Stevens has infringed DWP's copyright rights by reproducing, adapting, distributing, and publicly displaying the Infringing Material on the Infringing Site, without authorization, in violation of the Copyright Act, 17 U. S.C. §§ 106 and 501. Such infringing conduct includes, but is not limited to, reproducing, distributing, adapting, and publicly displaying the full text of the Frequently Asked Questions and Anti-Scam Policy pages and several of DWP's testimonials, including those testimonials' associated photographs.
- 20. Each such infringement by Stevens constitutes a separate and distinct act of infringement.
- 21. Stevens' acts of infringement are willful, in disregard of, and with indifference to the rights of DWP.
- 22. As a direct and proximate result of the infringements by Stevens, DWP is entitled to damages and to Stevens' profits in amounts to be proven at trial, which are not currently ascertainable.
- 23. As a result of Stevens' acts and conduct, DWP has sustained and will continue to sustain substantial, immediate, and irreparable injury, for which there is no adequate remedy at law. DWP is informed and believes, and on that basis avers, that unless enjoined and restrained by this Court, Stevens will continue to infringe DWP's rights in and to the Copyrighted Content; accordingly, DWP is entitled to temporary, preliminary, and permanent injunctive relief to restrain and enjoin Stevens' continuing infringing conduct.

COUNT II – UNFAIR COMPETITION UNDER CALIFORNIA LAW

- 24. DWP realleges each and every allegation set forth in Paragraphs 1 through 23 inclusive, and incorporates them by reference herein.
- 25. Defendants' actions, as stated above, constitute unfair competition, in this judicial district, under the common law of California, by reason of which DWP has suffered and will continue to suffer harm and irreparable injury.

PRAYER FOR RELIEF

Wherefore, DWP prays this Court enter judgment in its favor on each and every claim for relief set forth above against Defendant Stevens, and award DWP relief including, but not limited to, an Order:

- 1. Preliminarily and permanently enjoining Stevens, his agents, representatives, affiliates, and all persons acting in concert or participation with him from infringing DWP's copyrighted work(s), or inducing or contributing to any third party infringement(s) of DWP's copyrighted work(s);
- 2. Requiring Stevens to provide DWP with an accounting of any and all sales of products or services that infringe or violate any of DWP's rights described herein or as otherwise may be discovered by DWP through the course of this litigation;
- 3. Awarding DWP monetary relief including damages sustained by DWP in an amount not yet determined, including actual damages for copyright infringement and willful copyright infringement under 17 U.S.C. § 504 and other applicable laws as appropriate; and
- 4. Awarding such other and further relief as this Court may deem just and appropriate.

JURY DEMAND

Plaintiff Dream World Partners, Inc. ("DWP") hereby demands a trial by jury on all matters and issues so triable.

Dated this 17th day of September, 2012.

Respectfully submitted,

R. Christopher Harshman, Esq. Attorneys for Plaintiff

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Otis D. Wright II and the assigned discovery Magistrate Judge is Jay C. Gandhi.

The case number on all documents filed with the Court should read as follows:

CV12- 8200 ODW (JCGx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

ħį	Western Division 312 N. Spring St., Rm. G-8 Los Angeles, CA 90012	L	Southern Division 411 West Fourth St., Rm. 1-053 Santa Ana, CA 92701-4516	ப	Eastern Division 3470 Twelfth St., Rm. 13 Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

R. Christopher Harshman 9701 Wilshire Boulevard, Suite 1000 Beverly Hills, California 90212						
UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA						
Dream World Partners, Inc.,	CASE NUMBER					
PLAINTIFF(S) V.	CV12-08200-0DW(5CG)					
Terry Stevens and DOES 1-10,						
	SUMMONS					
DEFENDANT(S).						
A lawsuit has been filed against you. Within21 days after service of this summon must serve on the plaintiff an answer to the attached ☑ counterclaim ☐ cross-claim or a motion under Rule 1 or motion must be served on the plaintiff's attorney, R. 9701 Wilshire Boulevard, Suite 1000, Beverly Hills, Ca judgment by default will be entered against you for the region your answer or motion with the court.	2 of the Federal Rules of Civil Procedure. The answer Christopher Harshman, whose address is lifornia 90212. If you fail to do so,					
Dated: 9/21/2012 [Use 60 days if the defendant is the United States or a United States.]	By:					
60 days by Rule 12(a)(3)]. CV-01A (10/11 SUM)						

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA CIVIL COVER SHEET

FOR OFFICE USE ONLY: Case Number: VIZ-U8ZUU-0000 (

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

CV-71 (05/08) CIVIL COVER SHEET Page 1 of 2

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ✓ No ☐ Yes If yes, list case number(s):								
VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ✓ No □ Yes If yes, list case number(s): □								
Civil cases are deemed related if a previously filed case and the present case: (Check all boxes that apply)								
IX. VENUE: (When completing the following information, use an additional sheet if necessary.)								
(a) List the County in this District; (☐ Check here if the government, its	California County ou s agencies or employ	utside of this District; State i yees is a named plaintiff. If	if other than California; or Foreign Country, in which EACH named plaintiff resides. this box is checked, go to item (b).					
County in this District:*			California County outside of this District; State, if other than California; or Foreign Country					
Los Angeles								
(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides. □ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).								
County in this District:*			California County outside of this District; State, if other than California; or Foreign Country					
			Arizona					
(c) List the County in this District; C Note: In land condemnation ca			f other than California; or Foreign Country, in which EACH claim arose.					
County in this District:*			California County outside of this District; State, if other than California; or Foreign Country					
Los Angeles								
* Los Angeles, Orange, San Bernard Note: In land condemnation cases, use			San Luis Obispo Counties					
X. SIGNATURE OF ATTORNEY (C	OR PRO PER):		Date September 17, 2012					
Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)								
Key to Statistical codes relating to Soc	20-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1							
Nature of Suit Code	Abbreviation	Substantive Statement of	f Cause of Action					
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))						
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)						
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))						
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))						
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security						

CV-71 (05/08) CIVIL COVER SHEET Page 2 of 2

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RSI

All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))